

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek 11/12/2002  
Departmental Paperwork Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6625  
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a new information collection received on 09/27/2002.

TITLE: Southwest Region Coral Reef Ecosystems Logbook and Reporting

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0462

EXPIRATION DATE: 11/30/2005

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	0	0	0
New	815	382	0
Difference	815	382	0
Program Change		382	0
Adjustment		0	0

TERMS OF CLEARANCE: None

---

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of  
Information and Regulatory Affairs

---

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated  5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No  6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) ( <i>if applicable</i> )	
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT  
SOUTHWEST REGION CORAL REEF LOGBOOK AND REPORTING**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

Under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* (Magnuson-Stevens Act), the Western Pacific Fishery Management Council (Council) developed a Fishery Management Plan for Coral Reef Ecosystems of the Western Pacific Region (FMP)<sup>1</sup>. Key provisions of the FMP include establishment of a Federal permit program for harvesting coral reef ecosystem management unit species, recordkeeping and reporting requirements, no-take and low-use Marine Protected Areas (MPAs), gear restrictions and listings of allowed and prohibited fishing gear, mitigation requirements addressing wreck removals and pollution mitigation for fishing vessels operating in or traversing any MPAs, and a framework procedure for rapid implementation of regulatory adjustments to the coral reef ecosystems management program. As separate actions to this collection of information, OMB clearance requests have been submitted for permit and gear-marking requirements.

This collection is necessary for the effective management and conservation of coral reef fisheries and resources in waters of the U.S. exclusive economic zone in the western Pacific region. The information is needed to monitor fisheries, determine whether the management measures are having the intended effects, and evaluate the benefits and costs of changes in management measures.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used.**

Special permit coral taxa logbooks will be used to obtain information on fishing activity. The information consists of catch, fishing effort, and discards by species, location, time, and other fishery-dependent data, such as lost gear. Information on wind speed and direction, sea surface temperature, and depth of fishing are collected because they reveal the condition of the ocean, i.e., sea state, and fishing strategy which may affect catch and catch per unit of effort. Also, the vessel operator, who is responsible for furnishing the information, must report protected species observations. These data are needed for determining the health of the coral reef ecosystem stocks that are currently being targeted for harvest and taxa that have potential for harvest and use in the future. The daily logbooks also provide a heads up to NMFS concerning interactions between fishing operations and protected species.

---

<sup>1</sup> A Notice of Availability of the FMP for public comment was published in the Federal Register on March 18, 2002 (67 FR 11971).

Drastic changes in catch per unit effort (CPUE) are often indicators of significant shifts in the size and structure of the stock suggesting that changes may be appropriate in management measures to respond to declines or increases in stock sizes. The daily logsheet must be completed within 24 hours after the completion of each fishing day; completed logsheets must be submitted to NMFS within 30 days following the vessel's return to port from each fishing trip. The 30-day period for submitting logsheets addresses a potential situation where a fishing vessel would put into port at one of the U.S. Pacific remote island areas following several fishing trips and was only able to submit the completed logsheets to NMFS until the vessel returned to Hawaii.

The annual report evaluations prepared by the Council depend on the availability of catch and effort data from the log reports.

Transshipment logbook information is used to ensure full reporting of all landings of coral reef resources. It is needed to evaluate the magnitude and distribution of impacts from changes in management regulations. Data from these logs include identification of the fishing vessel, species and amount (number and weight of catch) received. Operators of receiving vessels are required to complete the transshipping logsheets within 24 hours after completion of each transshipment operation and the logsheets must be provided to NMFS within 7 days of landing the coral reef ecosystem resources in port.

Pre-trip and pre-landing notification requirements are needed to direct enforcement efforts for ensuring compliance with management measures. The operator of a vessel registered for use with a special coral reef ecosystem fishing permit (or a designated agent of the permit holder) must notify NMFS at least 72 hours before the vessel leaves port on a fishing trip for coral reef species. Notification must also be provided at least 24 hours before landing any coral reef management unit species. This information consists of the name of the port and approximate date and time at which coral reef management unit species harvested on the trip will be offloaded.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

NMFS and the Council continue to investigate information technology advances that would simplify the collection and reduce its burden on fishermen. Electronic logbooks are still in the initial phase of development and testing. While few of Hawaii's pelagic longline vessels are capable of using vessel monitoring system units (VMS) with on-board computers to report their daily logbook catch and effort data electronically to NMFS, the majority of the vessels do not have this capability and the vessel operators must record and submit their logbook data on paper. However, none of the information elements under this collection require sophisticated information technology. Other than VMS, there are no known automated electronic, mechanical, or other technological techniques or other forms of information technology tools that would make the reporting easier at this time.

**4. Describe efforts to identify duplication.**

NMFS carefully considered whether there were other collections by other Federal agencies or state/territorial agencies that might meet the information needs presented above. It was concluded that no other collections would meet the record keeping and reporting requirements of the FMP.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

All of the vessels in the federally-managed fisheries in the western Pacific region, including the coral reef fisheries to be managed under the FMP, are small business entities of similar sizes and are affected comparably. No special measures are needed to accommodate different sized businesses.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Without this collection or if it conducted less frequently, NMFS and the Council will be unable to make management decisions effectively and in a timely manner to conserve coral reef resources and sustain the economic health of the fisheries on a long-term basis.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

This collection is considered to be consistent with the OMB guidelines, except that the frequency of the collection exceed the minimum quarterly reporting schedule. This is because the collection is varied and unscheduled; its implementation requires action and analysis of the data. Daily logbooks require detailed catch and effort data that must be completed at the end of fishing day; pre-trip and pre-landing notifications are variable and usually decided on a short-time basis. With respect to coral reef species transshipment information, while not as critical as daily logbook information, it must be recorded by the receiving vessel captain without undue delay following the transshipping operation.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

During the course of developing the management measures for the FMP, the Council held numerous meetings to discuss the monitoring aspects of the coral reef fisheries in the western Pacific region. Scientists, fishermen advisory panels, non-governmental organization representatives, resources managers, State/Territorial fisheries agencies, and general public were consulted on the proposed record keeping and reporting requirements of the FMP. A proposed rule (copy attached) is also soliciting public comment on this collection.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts are involved in this collection.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

Under Section 402b of the Magnuson-Stevens Act and NOAA Administrative Order 216-100, information submitted in accordance with regulatory requirements under the Act is confidential. This includes confidential information contained in the logbooks. Personal and propriety information is not released to the public.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No sensitive questions are asked.

**12. Provide an estimate in hours of the burden of the collection of information.**

	Annual Burden: (Hours)
(a) At-sea notification: 5 vessels x 10 trips/year x 3 min/trip	= 3
(b) Logbook reports: 5 vessels x 10 trips/year x 15 days/ trip x 30 min/day	= 375
(c) Transshipment reports: 3 vessels x 5 trips/year x 1 day/trip x 15 min/day	= 4
total	= 382

The total annual personnel cost to respondents is estimated to range from \$3,820 to \$7,640 per year. This was derived by multiplying the number of hours of burden per year (382 hours) times an hourly cost rate ranging from \$10 to \$20, the estimated range of hourly wage rates for fishers harvesting coral reef resources in the western Pacific region.



**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.**

There is no “start up” capital cost for complying with this requirement. The estimated cost to respondents is about \$310 per year, which includes telephone charges and other incidental costs associated with transmitting the logbook forms to NMFS after each trip.

**14. Provide estimates of annualized cost to the Federal government.**

The estimated annual cost to the Federal government to administer this collection is \$500 per year, which includes the cost for printing Special permit coral reef taxa daily catch log forms and the cost of staff time for receiving and transmitting the report forms to appropriate NMFS personnel for analysis.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

This is a clearance request for a new collection, therefore, it is a program change.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

No formal scientific publications based on these collections are planned at this time. The data will be used for fisheries management and protected species reports, FMP amendments, and evaluations by NMFS and the Council. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The expiration date will be shown on the report forms used under this collection.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.



## **Paperwork Reduction Act Information**

Public reporting burden for this collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Southwest Region, NMFS, 501 W. Ocean Boulevard, Suite 4200, Long Beach, California 90802.

This information is being collected to provide the information needed by NMFS to regulate and monitor the coral reef fisheries and resources managed under the Fishery Management Plan for Coral Reef Ecosystems of the Western Pacific Region (FMP) and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to respond to interactions between fishing vessels and protected species and to address economic problems in the fishery. The information is also used to provide a basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Responses to the collection are required under 50 CFR 660.14. Propriety data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec.402(b)). Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

**NMFS Transshipment Log for Coral Reef Ecosystem Management Unit Species**

Vessel: \_\_\_\_\_ Permit No.: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

(Vessel receiving fish)

Broker or Shipping Agent: \_\_\_\_\_

Vessel: \_\_\_\_\_ Permit Number: \_\_\_\_\_  
(Vessel offloading fish)

Species	Number Received	Total Weight Received (Lbs.)

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

(Vessel captain / operator)

All required information must be recorded on the form within 24 hours after the day of transshipment.

Submit report to National Marine Fisheries Service within 7 days following the date the vessel arrived in port to land transshipped fish.

NMFS Honolulu Laboratory, 2570 Dole St., Honolulu, HI 96822; fax: (808) 983-2902

**Paperwork Reduction Act Information**

Public reporting burden for this collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Southwest Region, NMFS, 501 W. Ocean Boulevard, Suite 4200, Long Beach, California 90802.

This information is being collected to provide the information needed by NMFS to regulate and monitor the coral reef fisheries and resources managed under the Fishery Management Plan for Coral Reef Ecosystems of the Western Pacific Region (FMP) and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to respond to interactions between fishing vessels and protected species and to address economic problems in the fishery. The information is also used to provide a basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Responses to the collection are required under 50 CFR 660.14. Proprietary data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec.402(b)). Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

**(b) DISCRETIONARY PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]\* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]\*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297